

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

:

INDICTMENT

- v. -

:

08 Cr. 218

RAMON VARGAS,

:

a/k/a "Luis Alvarado,"

:

a/k/a "Carlos Vargas,"

:

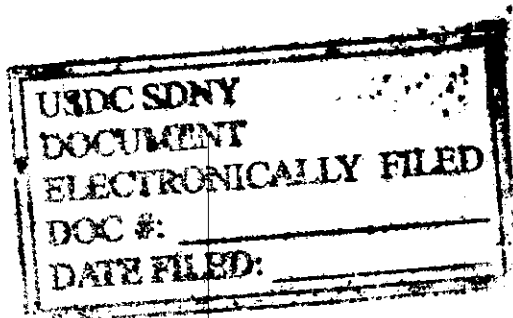
a/k/a "Jesus Hernandez,"

:

a/k/a "Luis Bacenet,"

Defendant.

:



COUNT ONE

The Grand Jury charges:

1. From at least in or about January 28, 2008, up to in or about February 7, 2008, in the Southern District of New York and elsewhere, RAMON VARGAS, a/k/a "Luis Alvarado," a/k/a "Carlos Vargas," a/k/a "Jesus Hernandez," a/k/a "Luis Bacenet," the defendant, unlawfully, willfully, knowingly and with intent to defraud, as part of an offense affecting interstate commerce, did traffic in and use one or more unauthorized access devices, and by such conduct did obtain a thing of value during a one-year period, the aggregate value of which is equal to \$1,000 and more, to wit, VARGAS purchased goods at Costco in Yonkers, New York, valued at approximately \$5,014.81, with a counterfeit credit card on or about February 7, 2008.

(Title 18, United States Code, Sections 1029(a)(2) and 2.)

COUNT TWO

The Grand Jury further charges:

2. On or about February 14, 2008, in the Southern District of New York and elsewhere, RAMON VARGAS, a/k/a "Luis Alvarado," a/k/a "Carlos Vargas," a/k/a "Jesus Hernandez," a/k/a "Luis Bacenet," the defendant, unlawfully, willfully, knowingly and with intent to defraud, did possess fifteen and more devices which are counterfeit and unauthorized access devices, to wit, VARGAS possessed more than fifteen counterfeit credit cards in Yonkers, New York.

(Title 18, United States Code, Sections 1029(a)(3) and 2.)

COUNT THREE

The Grand Jury further charges:

3. On or about February 14, 2008, in the Southern District of New York and elsewhere, RAMON VARGAS, a/k/a "Luis Alvarado," a/k/a "Carlos Vargas," a/k/a "Jesus Hernandez," a/k/a "Luis Bacenet," the defendant, unlawfully, willfully, knowingly and with intent to defraud, did produce, traffic in, have control and custody of, and possess device-making equipment, to wit, VARGAS possessed equipment, mechanisms, and impressions designed and primarily used to make counterfeit credit cards and driver's licenses in Yonkers, New York.

(Title 18, United States Code, Section 1029(a)(4) and 2.)

FORFEITURE ALLEGATION
AS TO COUNTS ONE THROUGH THREE

4. As a result of committing the offenses alleged in Counts One, Two, and Three of this Indictment, RAMON VARGAS, a/k/a "Luis Alvarado," a/k/a "Carlos Vargas," a/k/a "Jesus Hernandez," a/k/a "Luis Bacenet," the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the credit card fraud offenses.

Substitute Asset Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C.

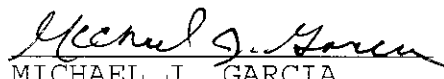
§ 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other

property of said defendant up to the value of the above

forfeitable property.

(Title 18, United States Code, Section 981,
Title 28, United States Code, Section 2461, and
Title 18, United States Code, Sections 1028A & 1029.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney